

**May 22, 2012**

**Administrative: Roll Call / Adoption of Minutes**

**Roll call performed by Peter Van Steeden**

**Present**

**Jim Miller voting for Lucy Levada**

**Steven MacGillivray**

**Charlie Vallancourt**

**Peter Van Steeden**

**Tom Silveira**

**Olin Gambrell**

**Meeting Minutes approved**

**M Charlie**

**S Tom S**

**Approved 5-0**

**Continuances/Withdrawals:**

**Petition of: 210 Coddington Realty Trust- c/o Evan S. Leviss Esq.- 15 Old Beach Rd- Newport, RI (applicant)- To appeal the issuance of Sign Permit# S-2011-00000221 under Section 317 of the Middletown Zoning Ordinance issued on June 10, 2011 to reface the existing off premise sign. Said real estate located at the corner of Underwood Lane adjacent to 210 Coddington Highway.**

**Continued to July 24th.**

**Petition of: Newport Restoration Foundation- 51 Touro St- Newport, RI (owner)- for a Variance from Section 1027 D- to replace an existing non- conforming pole sign with a 15.75 sq. ft. pole sign with a height of 11'.8". Said real estate located at 2009-15 West Main Rd and further identified as Lot 1 on Tax Assessor's Plat 110.**

**Continued to June 26th**

**Summary Cases:**

**Petition of: John L. Bonee- 29 South Main St- West Hartford, CT (owner)- Richard Sisson- 140 Spring Hill Rd, Portsmouth, RI (applicant)- for a Variance from Sections 603, 701 & 803G- to construct a 25' x 16' rear deck with a rear yard setback of 20.8' where 30' is required. Said real estate located at 467 Wolcott Ave and further identified as Lot 212 on Tax Assessor's Plat 116NE.**

**Read into record by Charlie Vallancourt**

**M. Tom S.**

**S Charlie V.**

**Approved 5-0**

**Full Hearings:**

**Petition of: Seguin Realty LLC c/o Paul Mika – 1133 West Main Rd- Middletown, RI (owner)- Hyundai of Newport- 1133 West Main Rd- Middletown, RI (applicant)- for a Special Use Permit from Section 1211(D)(1)(A)- to allow a freestanding monument sign 10' in height where 4' is allowed. Said real estate located at 1133 West Main Rd and further identified as Lot 111 on Tax Assessor's Plat 106.**

**Charlie V. Read the petition into the record**

**Paul Mika gave testimony that the new sign will be 15 feet lower than the existing sign. Square footage is less. Ten foot Height needed to be seen by traffic.**

**M. Charlie V.**

**S. Tom S.**

**Discussion ensued.**

**Approved 5 to 0**

**Petition of: John Silvia, Jr.- 75 Locust Ave- Portsmouth, RI (owner)- John Silvia, III- 749 Mitchell's Ln- Middletown, RI (applicant)- for a Variance from Sections 603, 701 & 802B- to allow the demolition of the existing 27' x 17' garage and construct a 24' x 36' garage with a left side yard setback of 12' where 30' is required. Said real estate located at 749 Mitchell's Ln and further identified as Lot 107 on Tax**

**Assessor's Plat 124.**

**Charlie V. Read the petition into the record**

**John Silvia 3rd gave testimony. The garage needs to be located in the site because of the leach field, stone walls etc.**

**Butch questioned the second floor space. Mr. Silvia indicated it was to be used for dry storage. Mr. Vallancourt questioned the height of the garage. Mr. Silvia testified that it was only for storage and may not take the entire footprint.**

**M. Charlie V**

**S. Tom S.**

**Discussion ensued that the site plan warranted the placement and it met the standard for a special use permit.**

**Approved 5 - 0**

**Petition of: Saccucci Auto Group, Inc. 1350 West Main Rd. - By their attorney Robert M. Silva, Esq.- 1100 Aquidneck Ave- Middletown, RI (owner) - for a Special Use Permit from Sections 1211(A), 1211 (B)(2) & 1211(D)(2)(A) - to allow the placement of three wall mounted signs where one is permitted, containing 154.54 sq. ft. Said real estate located at 1342 West Main Rd and further identified as Lot 58 on Tax**

**Assessor's Plat 106.**

**Mr. Robert M. Silva gave testimony represented the client. Request for three building mounted signs. Total square footage is 154.54. Existing signs will be removed that will reduced by 59 square feet. There have already been removed several other signs such as the Lincoln sign.**

**Mr. Silva presented Allen Shers as an expert witness. Accepted by the board.**

**Allen Shers, real estate expert gave expert testimony on the Special Use Permit requirements. Mr. Shers did a site inspection and a survey of existing dealerships to compare the Saccucci proposal to. Mr. Shers used the term "sign footprint". He went point by point through the five points required to meet the SUP. Mr. Shers gave testimony that the signs are of high quality and will not create a negative aesthetic impact. The signage design. Is compatible with the modern design of the facility.**

**Mrs Barbara Saccucci gave testimony on the signage. There will only be directional signage on the building. A total of four additional directional signs will be added.**

**Exhibit 1 is the photo of the old facade.**

**Exhibit 2 four photos that show signs that are being removed.**

**Exhibit 3 resume of Allen Shers.**

**M. Jim m.**

**S. Charlie Vallaincourt**

**Discussion ensued**

**Approved 5 to 0**